

### EXAMINER'S AMENDMENT

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Donald B. Paschburg (33,753) on 4/23/2010 and 4/30/2010.

The application has been amended as follows:

a. In **claim 20**, in line 2, the phrase "a computer readable medium" has been replaced with the phrase - - a computer readable non-transitory medium - -

b. In **claim 20**, in line <sup>4</sup>~~3~~, the phrase - - associated with an access point - - *YR 6/28/2010* has been added immediately after the phrase "a plurality of client devices".

c. In **claim 21**, in line 7, the phrase - - associated with an access point - - has been added immediately after the phrase "a plurality of client devices".

### *Allowable Subject Matter*

6. **Claims 1-18 and 20-21** are allowed.

7. Examiner wants to put on the record that claim 21 reciting an apparatus comprising a processor, a storage device, and a communication port and uses an access point for classifying, allocating, and determining is fully statutory under U.S.C. 101 because the specification provides a hardware based access point in Fig. 7 with its